

REMARKS

Applicants have cancelled claims 1-60, 61 and 64. Applicants have added new claims 65-91. New claims 65-89 are supported by the original claims. New claims 90-93 are supported by the specification at page 1, line 23 to page 2, line 11. No new matter has been added.

A terminal disclaimer is enclosed.

Double Patenting

The Examiner rejected previously pending claims 1-18, 23, 24, 29-48, 53, 54 and 59-64 for obviousness-type double patenting in view of claims 1-20 of U.S. Patent No. 6,733,813. Enclosed is a terminal disclaimer under 37 C.F.R. §§3.73(b) and 1.321(b) that obviates this rejection.

Rejections Under 35 U.S.C. §103

The Examiner rejected claims 1-18, 25-28 and 31-48 as obvious in view of Black et al. in view of Gresch, Strobel et al. and Lenoble et al. The Examiner rejected claims 23, 24, 29, 30, 53, 54, 59 and 60 as obvious in view of Black et al. in view of Gresch, Strobel et al., Lenoble et al. and Black et al.

The Examiner did not reject claims 62 and 64 as obvious and stated that they would be allowable if rewritten as independent claims that included all of the limitations of the claims from which they depend.

Claim 61 has been amended to include the limitations of claim 62. In addition, claim 61 has been amended to recite that the ratio divert mechanism "controls the amount of juice in each of the first, second and third juice streams". This limitation, which is based on the explanation of the function of a ratio divert mechanism found at page 6, lines 7-11 of the specification, has been added for clarity. Claim 63 has been amended in a manner similar to claim 61 by incorporating the limitation of claim 64 and adding the phrase mechanism "controls the amount of juice in each of the first, second and third juice streams". The remaining claims depend from

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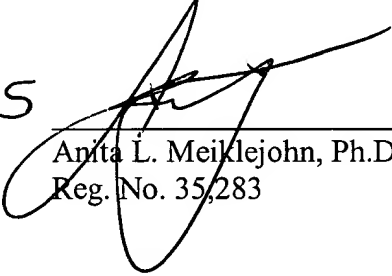
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either claim 61 or 63. In view of the forgoing, Applicants respectfully request that the rejections under 35 U.S.C. §103 be withdrawn.

Enclosed is a Petition for Extension of Time and a Notice of Appeal authorizing the Examiner to charge the appropriate fees to our deposit account. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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